

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

| | | |
|--------------------------|---|----------------------------|
| Robert Waldheger, |) | CASE NO.: 1:09-CV-1372 |
| |) | |
| Plaintiff, |) | |
| |) | JUDGE JAMES GWIN |
| vs. |) | |
| |) | <u>NOTICE OF DISMISSAL</u> |
| Tracfone Wireless, Inc., |) | <u>WITHOUT PREJUDICE</u> |
| |) | |
| Defendant. |) | |

Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, Plaintiff Robert Waldheger, through counsel, hereby dismisses any and all claims as to all Defendants without prejudice to refiling against Defendants.

Respectfully submitted,

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CERTIFICATE OF SERVICE

A copy of the foregoing was served on all parties through the Court's electronic filing system, on this 31st day of July, 2009.

Respectfully submitted,

/s/Christopher P. Thorman

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